



# **MINUTES**

## **FORMAL MEETING OF CITY COUNCIL**

### **Diamondhead, Mississippi**

**Council Chambers**  
**City Hall**  
**July 15, 2013**  
**6:00 pm**

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1. **Call to Order**—Mayor Schafer called the meeting to order at 6:00 p.m.
2. **Invocation**—Mayor Schafer
3. **Pledge of Allegiance**—Councilmember Rech
4. **Roll Call**—The following members of Council were present: Mayor Schafer, Councilmember Knobloch, Councilmember Lopez, Councilmember LaFontaine, Councilmember Sislow, Councilmember Rech

The City Attorney, Sean Tindell, was recognized and advised Council of a letter received July 15, 2013 from Michael Cavanaugh, attorney representing the Jacobs Entertainment Group and Diamondhead Real Estate LLC, withdrawing their application for rezoning of certain properties. He recommended that council accept the recommendation of the Planning and Zoning Commission and the letter from Mr. Cavanaugh.

5. **Approval of Minutes**—Councilmember Rech moved, seconded by Councilmember Sislow, to accept the minutes subject to any corrections or additions made by Council. The motion carried unanimously and the following Minutes were approved.

June 27, 2013 Special Called Meeting  
June 27, 2013 Work Session  
July 1, 2013

6. **Confirmation or Adjustment of the Agenda Order**—Councilmember Knobloch moved, seconded by Councilmember Lopez, to accept the agenda order subject to any corrections or additions made by Council, the City Manager, or the City Clerk. The motion carried unanimously and the following adjustments were made to the Agenda:

Items 13a and 13b to be discussed during an Executive Session  
Item 13d moved to 13 a-1

7. **Communications/Announcements from the Mayor and Council**
  - a. The next regularly scheduled Council Work Session will be held August 1, 2013 at 9 a.m. at Council Chambers located at 5000 Diamondhead Circle.
  - b. The next regularly scheduled Council Meeting will be held at 6 p.m. on August 5, 2013 in Council Chambers located at 5000 Diamondhead Circle.
  - c. The Mayor announced that house checks have been reinstituted for citizens who are traveling. The forms are available at the front desk at City Hall.

**8. Presentations / Appointments**

None

- 9. City Manager's Report**—The City Manager was recognized and indicated that Council is attending the Mississippi Municipal League Conference in Biloxi this week. Additionally, citizens having issues with their ditches, debris, overgrown grass, etc. are requested to call City Hall and report it.

- 10. Docket of Claims**—Councilmember Rech moved, seconded by Councilmember LaFontaine to accept the docket of claims as presented with any additions, corrections, or deletions made by Council. Mayor Schafer requested the removal of Docket # 691. The motion carried unanimously.

**11. Citizens Wishing to Address Council, Agenda Items**

- a. Dianne Ackerman was recognized and addressed Council regarding the negotiation of the contract with the Sheriff's Department for Security Services.
- b. Dwayne Bremer of the SeaCoast Echo was recognized and requested that discussions in Executive Session regarding the contract with the Sheriff's Department be limited to personnel issues.

- 12. FINANCIAL REPORTS**—Councilmember LaFontaine moved, seconded by Councilmember Sislow, to accept the financial reports P/E 06.30.13 as presented. The motion carried unanimously.

**13. OLD and NEW BUSINESS**

13-a-1 (was 13d) 2013-2088—Motion to Approve the Recommendation from the Planning and Zoning Commission to Deny a Zoning Change for Diamondhead Real Estate LLC, Case No. 2013-006.

The City Attorney was recognized and recommended Council proceed with the motion and accept the Planning and Zoning Commission recommendation to deny the request and to accept into the minutes the letter from Attorney Michael F. Cavanaugh withdrawing the request for a zoning change.

Councilmember Sislow moved, seconded by Councilmember Rech, to Approve the Recommendation from the Planning and Zoning Commission to Deny a Zoning Change for Diamondhead Real Estate LLC, Case No. 2013-006.

Following discussion, the vote on the motion was taken and carried 4-2 as noted:

Councilmember Lopez	Nay
Councilmember Lafontaine	Nay
Councilmember Sislow	Aye
Councilmember Rech	Aye
Councilmember Knobloch	Aye
Mayor Schafer	Aye

Councilmember Rech moved, seconded by Councilmember Knobloch, to accept the letter to City Manager Richard Rose from Michael F. Cavanaugh into the record. The motion carried unanimously.

### EXECUTIVE SESSION

Upon motion by Councilmember Knobloch and second by Councilmember Sislow at 6:28 p.m., the Council voted to go into Closed Session to determine the need for an Executive Session.

Upon motion by Councilmember LaFontaine and second by Councilmember Lopez, the Council voted to go into Executive Session to discuss items 13a and 13b, to develop a course of action on security personnel.

Upon motion by Councilmember Sislow and second by Councilmember LaFontaine, the Council voted unanimously to come out of Executive Session. No decisions were made in Executive Session.

Upon motion by Councilmember Rech and second by Councilmember Lopez at 6:58 p.m., the Council voted unanimously to return to the Regular meeting. All who were present when the Closed Session began were again present when the session ended.

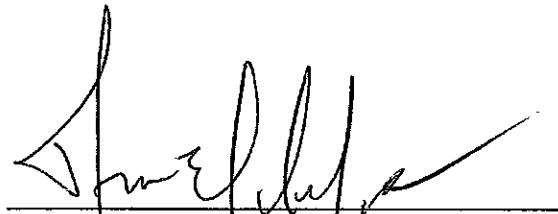
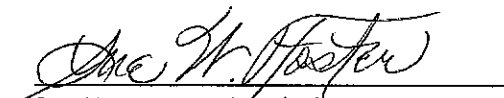
Councilmember Sislow moved, seconded by Councilmember LaFontaine, to table items 13a and 13b until after review of the proposed budget for the Police Department. The motion carried unanimously.

- a. 2013-2075—Motion to Approve the Enforcement of Ordinance 2013-033 Creating a Police Department—TABLED
- b. 2013-2085—Motion Regarding the Hancock County Sheriff's Department Contract—TABLED
- c. 2013-2084—Councilmember Rech moved, seconded by Councilmember Sislow, to Continue the Employment of the City Manager, Municipal Clerk, and Municipal Judge. After a question by the Mayor as to whether or not the positions were advertised, Councilmember Knobloch stated these positions were not required to be advertised, however, resumes for the positions were received and interviews were conducted. Following further discussion, the motion carried unanimously.
- d. ~~2013-2088—Motion to Approve the Recommendation from the Planning and Zoning Commission to Deny a Zoning Change for Diamondhead Real Estate LLC, Case No. 2013-006—MOVED TO ITEM 13a-1.~~
- e. 2013-2089—Councilmember LaFontaine moved, seconded by Councilmember Lopez, to Approve An Ordinance to Change the Date and Time of the Formal Council Meeting. The motion carried unanimously.
- f. 2013-2090—Councilmember LaFontaine moved, seconded by Councilmember Knobloch, to Approve a Change in the Date and Time of the Council Work Sessions. The motion carried unanimously.
- g. 2013-2093—Councilmember Knobloch moved, seconded by Councilmember Sislow, to Approve the Job Description Title Change from Part-time Planning and Zoning Programmatic Employee to Part-time Planning and Zoning Administrator. The motion carried unanimously.

**14. Citizens Wishing to Address Council, Non-Agenda Items**

1. Lisa Vergano was recognized and addressed Council regarding the backup of traffic on I-10 at Exit 16. The City Manager indicated that officers are there to direct traffic unless they are on a call. He also indicated that MDOT had been contacted regarding the issue with no success but that he will contact them again.
2. Hank Holcomb was recognized and addressed Council regarding Council Procedure, the purchase of city hall and the costs to the city caused by the delay, and the Police Department.
3. Capt. Hermann was recognized to address the issue of traffic backed up on I-10.
4. Jacqueline Schwander was recognized and addressed Council regarding the condition of Diamondhead Drive East. The City Manager indicated that repairs have been made with the limited amount of funding available. Mayor Schafer indicated that the East Rec facility that was referenced in the question is a POA project.

15. ADJOURN—Councilmember Sislow moved, seconded by Councilmember LaFontaine, to adjourn the meeting. The motion carried unanimously and the meeting was adjourned at 7:17 p.m.

  
Thomas E. Schafer, W  
Mayor  
Sue W. Foster, City Clerk

Meeting Notice Posted at City Hall on July 8, 2013.